

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of )  
 ) MUR 5226  
North Carolina Republican )  
Executive Committee, )  
and Steven B. Long, Treasurer )

**CONCILIATION AGREEMENT**

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities.

The Commission found reason to believe that the North Carolina Republican Executive Committee, and Steven B. Long, Treasurer, (collectively, "Respondents") violated 2 U.S.C. § 434(a).

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Respondent North Carolina Republican Executive Committee ("Committee") is a political committee within the meaning of 2 U.S.C. § 431(4).

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2. Respondent Steven B. Long is the Treasurer of the Committee.

3. The Respondents were required to file its 2000 October Quarterly Report ("Report") no later than October 15, 2000. On September 21, 2000, the Respondents received from the Commission a Prior Notice for the Report, stating its filing date of October 15, 2000. The second footnote of the Prior Notice explains that unless a report is sent via certified mail or registered mail, the report must be received by the filing date.

4. The Report was signed by the Treasurer on October 13, 2000. The same day, the Respondents sent the Report to the Commission via Federal Express, with instructions for overnight delivery. An employee of the Committee correctly addressed the shipping label to the Commission at 999 E Street, N.W., Washington, D.C.

5. The Respondents have represented that one of their employees followed-up on the package by checking the Federal Express website the next day, and that the website indicated proper delivery.

6. The Respondents have represented that they first received notice that the Report had not been properly delivered when, on October 23, 2000, a Commission employee informed a Committee employee by telephone that the Report had not been received by the Commission. That same day, the same Committee employee learned from an employee of a hotel located at 999 9<sup>th</sup> Street, N.W., Washington, D.C. that a package from Respondents had been delivered to the hotel by mistake.

7. The Respondents have represented that they arranged for a courier to pick up the package at the hotel and deliver it to the Commission that same day.

8. The Respondents subsequently received a letter from FedEx confirming the misdelivery.

9. The Report was hand-delivered and received by the Commission on October 23, 2000, and was thus eight (8) days late.

V. Respondents have violated 2 U.S.C. § 434(a) by failing to file the 2000 October Quarterly Report in a timely manner.

VI. Respondents will pay to the Commission the amount of Three Thousand Five Hundred dollars (\$3,500.00), pursuant to 2 U.S.C. § 437g(a)(5), to conciliate this matter. Due to the mitigating circumstances in this matter, as brought to the Commission's attention by the Respondents and outlined above, this represents a reduction from the amount which would normally have been imposed under 2 U.S.C. § 437g(a)(4)(C).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence H. Norton  
General Counsel

BY:

Rhonda J. Vosdigh  
Rhonda J. Vosdigh  
Associate General Counsel

4/12/02  
Date

FOR THE RESPONDENTS:

Steven B. Long  
Steven B. Long  
Treasurer

FEB 20, 2002  
Date

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